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June 30, 2003

TO: Examiner MARIA ALEXANDRA ELVE
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CLIENT NO.: 22188/06465

CLIENT NAME: Swagelok

NUMBER OF PAGES (including this page): 14

MESSAGE:

Re: U.S. Serial No.: 10/069,671

Filed: 2/22/02

For: APPARATUS AND METHOD FOR WELDING DUPLEX STAINLESS STEEL

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
INTERNATIONAL RECEIVING OFFICE

In re application of:

Nathan D. Ames et al.

Examiner: Maria Alexandra Elve

Title of Invention

**APPARATUS AND METHOD FOR
WELDING DUPLEX STAINLESS
STEEL**

Application No: 10/069,671

Art Unit 1725

Filing Date

February 02, 2002

Attorney Docket No.

22188/06465

Honorable Commissioner of Patents & Trademarks
Washington, D.C. 20231

RESPONSE TO OFFICE ACTION

In response to the Office Action mailed March 31, 2003 Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejection of the claims for the following reasons:

The Paskell, Barefoot and Hummel patents fail to disclose the very existence of duplex stainless steels. Therefore, they fail to suggest an important feature of the present invention — namely, that excellent welds in duplex stainless steels can be achieved by using the high refractory fluxes claimed.

Duplex stainless steels are a special type of stainless steel characterized by a phase balance between austenite and ferrite crystalline phases. Specification, page 1, last paragraph. Such steels have proven to be especially difficult to weld (in the sense of producing a weld also exhibiting the desired duplex phase structure) because of the difficulty in maintaining a proper phase balance as well as a proper nitrogen content. Specification, page 2, first full paragraph. Because of these problems, it was impossible prior to the present